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DEPARTMENT OF ENERGY

(DOCKET NO. PP-89-1)

In Re: Application to amend Presidential  
Permit; Bangor Hydro-Electric Company

November 18, 2004

AGENCY: Office of Fossil Energy, DOE

ACTION: Notice of application

BEFORE: Angelia D. White, Notary Public, at Jeff's  
Catering, 5 Coffin Avenue, Brewer, Maine, on Thursday,  
November 18, 2004, beginning at 7:07 p.m.

DON THOMPSON & ASSOCIATES  
Court Reporting

3 Brewer, Maine, on Thursday, November 18, 2004, beginning  
4 at 7:07 p.m.)

5 \* \* \* \* \*

6 MS. OSBORNE: Hello. My name is Carolyn Osborne.  
7 I've met some of you. I'm with the US Department of  
8 Energy in Washington, D.C. And I'm with the Office of  
9 Environment there and particularly the office that  
10 deals -- has responsibility for guidance and assisting  
11 and oversight of activities under the National  
12 Environmental Policy Act or NEPA.

13 And we're here tonight for a public scoping  
14 meeting -- and I'll explain what I mean by that in a  
15 little bit -- for a proposal -- an application to the  
16 department for an amended permit for a transmission  
17 line that Bangor Hydro Electric Company wants to build  
18 that would connect with Canada.

19 And the department then has a decision to make,  
20 whether or not to amend the permit. And the -- the  
21 company went through this process in the early '90s  
22 and did get a permit for a line in '96. They didn't  
23 build the line. They've come back to us saying they  
24 want to amend that permit. And they will tell you  
25 what that's about as part of this introduction.

3

1 When the department has a decision to make,  
2 whether to give them an amended permit -- whenever we  
3 have a decision, we have to think about the  
4 environmental impacts of what we would do. In this  
5 case, the -- the proposal, the project, would have the  
6 potential for significant impact. So we're going to

7 prepare an Environmental Impact Statement, a study --  
8 an environmental study that looks at lots of  
9 alternatives and looks at issues and that will have a  
10 lot of public involvement.

11 So what I want to tell you about tonight before  
12 -- some of you have expressed an interest to -- to  
13 tell us your impressions and tell us about what you  
14 think the study should be. Before we do that, I want  
15 to talk about this NEPA process, this Environmental  
16 Impact Statement process in particular, a little bit  
17 about the permitting process that the department has  
18 and its responsibilities that it has and the people  
19 who are here. Because there are people involved in  
20 this study in the -- in the seats with you.

21 And the company will tell you a little history  
22 about their project and how it's changed and what  
23 they're proposing to do now. And then I'll invite you  
24 to comment to us.

25 So when we start an Environmental Impact

4

1 Statement -- and we're at the very early stages -- we  
2 publish a Notice of Impact to prepare an impact  
3 statement. It's a notice to the public. This was in  
4 the federal register and I think we mailed it to many  
5 of you and there were notices in the paper about it.  
6 We say that we're holding public scoping.

7 And it was published on November 2nd, the 30-day  
8 period ends December 2nd. In that time is when we  
9 would like to receive public comments on the scope of  
10 the document. That's what we mean by scoping, is what

11 should we include in this document, what should we be  
12 sure to study, what issue should we be sure to  
13 present.

14 We said in our notice that we would have three  
15 public meetings. We had one in Baileyville last  
16 night, Lincoln this afternoon and here tonight in  
17 Brewer. We will take comments at any time. It's most  
18 helpful if we can focus the issues by getting the  
19 comments in the 30 days.

20 There's this white sheet of paper outside, in  
21 case you didn't see the notice or it wasn't in the  
22 newspaper. It tells you that Dr. Jerry Pell is  
23 managing the process. It gives you an address, it  
24 gives you a phone number, although it's a toll number.  
25 It gives you an e-mail. So you could e-mail him and

5

1 get a fax number if you wanted to do it that way or  
2 send him comments by e-mail.

3 It also has on it a website that the preparers of  
4 the EIS have made available. And you can get  
5 information there and you can also submit comments  
6 through the EIS website. So there are many ways that  
7 you can comment to us.

8 Okay. When we get your comments and we have our  
9 own thoughts on this document, we'll begin to prepare  
10 it. And we would aim at this point to issue a draft  
11 Environmental Impact Statement by June. It's issued  
12 for a 45-day public review period. So again, the  
13 public will have a chance to tell us this time not  
14 what should be in the document, but did we do a good

15 job of analyzing impacts. And you can give us  
16 critiques on what we might have missed or suggestions  
17 you have for this document. There's a 45-day comment  
18 period on that.

19 Then we will begin a written process of  
20 responding to the comments that we got, either orally  
21 or however we got the comments, on the document. And  
22 we will issue a final. Sometime in the fall is our  
23 aim. And that depends on the number of comments that  
24 we got on the draft, complexity of the issues we had  
25 to deal with. We aim to issue the final document in

6

1 the fall.

2 The office that I'm in has oversight and guidance  
3 on this inter-wide draft Environmental Impact  
4 Statement and the final Environmental Impact  
5 Statement. The decision making, however, is done in  
6 the Office of Fossil Energy. And there's a person  
7 there, Tony Como, who has responsibility for deciding  
8 do I give a permit -- do I amend this permit or not  
9 and what routes would I allow to be built under this  
10 permit and what kind of conditions would be under the  
11 permit.

12 He can make a decision no sooner than 30 days  
13 after the final Impact Statement is issued. So we're  
14 aiming for his Record of Decision, as it's called  
15 under the NEPA process, by the end of the year.

16 UNIDENTIFIED SPEAKER: You're not attaching the  
17 year to any of these dates.

18 MS. OSBORNE: Pardon?  
Page 5

19 UNIDENTIFIED SPEAKER: You said it would be,  
 20 like, in June and the fall and the end of the year.  
 21 MS. OSBORNE: Right. June -- June for the draft.  
 22 UNIDENTIFIED SPEAKER: Of which year?  
 23 MS. OSBORNE: Of this year. I mean -- I'm sorry.  
 24 2005. Yeah. We've got the -- we've got the comments  
 25 -- the issues from you with this scoping meeting,

7

1 we've got our own that we introduced in the notice of  
 2 intent. We expect to be able to issue -- issue a  
 3 draft June '05, final in the fall '05, the Record of  
 4 Decision from the program by the end of '05.

5 And shortly after -- usually along at the same  
 6 time the permit, if it's going to be issued, is issued  
 7 and written based on the decision that's in this  
 8 record of decision by NEPA. That's a quick skim of  
 9 the EIS process.

10 The permitting process, if you want a lot of  
 11 details about it, I would refer you to Tony Como. But  
 12 at some point there was a Presidential -- there is a  
 13 Presidential Permit given when somebody -- a company  
 14 wants to cross an international border, wants to  
 15 construct, connect, maintain a -- a facility at the  
 16 border to cross into either Canada or Mexico. And  
 17 that authority for giving a Presidential Permit is  
 18 given to the Department of Energy.

19 When a decision is made to allow to permit a line  
 20 to cross the border, many factors are brought into  
 21 bear. One is -- is in the public interest. It's all  
 22 is this in the public interest to allow this line to

23 cross the border for either export or import? One is  
24 the environmental factors. And that's our  
25 environmental study that we're starting tonight.

8

1 Another is electric reliability, which is a  
2 separate study done at the same time. It's usually a  
3 shorter study, but it's done in time for the Record of  
4 Decision. Will this line affect how other lines and  
5 the system operate, will it affect the grid that  
6 serves the northeast in any way negatively? And there  
7 may be other factors that come into play.

8 And before the Record of Decision is issued,  
9 there has to be consultation with the State Department  
10 and consultation with the Department of Defense. But  
11 normally they know what we're doing as we start this  
12 process. So all that will happen, the Presidential  
13 Permit, there will be a decision on it. And terms --  
14 in this case it's an amendment to a Presidential  
15 Permit.

16 When the Presidential Permit is given, as I think  
17 you know from this case, it doesn't mean that the line  
18 has to be built. In this case, the company has a  
19 permit already, they want to amend it. They haven't  
20 constructed the one they have the permit for.

21 Okay. At this point I want to introduce some of  
22 the people that are here. First, out in the hall is  
23 Odessa Hopkins, that I hope you met when you signed  
24 in, so that we have -- we like to know who has come  
25 and we like to put you on our mailing list so we can

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1 send you this drafting. And I think it asks you for  
2 your choices in how you want to get it. Odessa has  
3 arranged a lot of the things that are part of this  
4 meeting.

5 Next there are people here who will be working on  
6 the Environmental Impact Statement from the  
7 department. They're from Argon National Laboratory.  
8 They're seated over there. The lead of the team in  
9 writing this is Bill Vinikour, if you want to talk to  
10 him about the EIS. There's also Tim Allison and John  
11 Krumme who are involved in the statement.

12 They will be preparing the Environmental Impact  
13 Statement. It's done at the direction of the DOE.  
14 It's really our Impact Statement, we get involved in  
15 reviewing it. They may get information from the  
16 company, but it has to be reconsidered, it needs to be  
17 evaluated and put into our Environmental Impact  
18 Statement.

19 In the corner is Angella White who is our court  
20 reporter. We're doing this -- we're having this  
21 session recorded so that we have a record so that  
22 people who are not here know what was said and so that  
23 we can indeed not forget either some issues that may  
24 have been brought up to us. And that transcript from  
25 the meetings -- the transcripts from the meetings will

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1 be on the website that's on this sheet of paper that's  
2 at the bottom. It's EAD, Environment Assessment



3 Division, and Argon National Laboratory. So the  
4 writers of the EIS have set up a web page for the  
5 document.

6 Next I have representatives from Bangor Hydro  
7 Electric Company who are here. LuAnn Ballesteros will  
8 be talking to you telling you about the history of the  
9 program and the alternatives and other things about  
10 this. She's here. But also in the audience is -- in  
11 the audience -- as part of your group, participants in  
12 this meeting, Gil Paquette is next to LuAnn. He can  
13 tell you the most about the maps which are here, which  
14 show where the lines that we'll be studying will be  
15 located. And also there's a map that you can take  
16 with you, if you wish to.

17 Robin McAdam is here. He's with the parent  
18 company of Bangor Hydro Electric. And Juliet Brown is  
19 here as a counsel for the company. Do you want to  
20 tell us about --?

21 MS. BALLESTEROS: Sure. Good evening and  
22 welcome. As Carolyn said, I'm LuAnn Ballesteros. I'm  
23 corporate communications officer for Bangor Hydro and  
24 on this project am responsible for stakeholder  
25 relations.

11

1 The project as proposed is a 345 kilovolt  
2 transmission line that would run from a substation in  
3 Orrington, Maine to Baileyville, Maine. Bangor Hydro  
4 received the original state permit in 1992 to build a  
5 345 kV transmission line from Orrington to  
6 Baileyville, with permit extension requests granted by

7 the Department of Environmental Protection in 1994 and  
8 1996. In 1999 Maritimes & Northeast constructed a  
9 pipeline in close proximity to the permitted line  
10 along County Road in Milford and along the Stud Mill  
11 Road from the intersection of County Road to  
12 Baileyville, Maine.

13 In 2001, acting on a request from Bangor Hydro  
14 for a third extension of the relevant state  
15 environmental permits, the Board of Environmental  
16 Protection, Maine's primary environmental review  
17 entity, conducted a hearing and indicated, in a draft  
18 order, a preference to use a route more closely  
19 consolidated with established other linear corridors.  
20 The order was never finalized because Bangor Hydro  
21 withdrew the request for an extension.

22 The New Brunswick Power Line; in 2003 NB Power  
23 received approval from the National Energy Board to  
24 construct and operate a 345 kV line from Pt. Lepreau,  
25 New Brunswick to a point on the international border

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1 near Baileyville, Maine.

2 Following approval of the Canadian portion of the  
3 project, Bangor Hydro evaluated various system and  
4 alternative route options that met the project purpose  
5 and at the same time responded to the routing issues  
6 previously raised by the Board of Environmental  
7 Protection and certain stakeholders.

8 Several route alternatives were evaluated. And  
9 those included the Previously Permitted Route  
10 Alternative; Consolidated Corridors Route Alternative;

11 and the MEPCO South Alternative.

12 After considerable evaluation of data, Bangor  
13 Hydro has selected a preferred route that incorporates  
14 a majority of the Consolidated Corridors Route  
15 Alternative. The route deviates from co-locating with  
16 the existing rights-of-way in two locations based on  
17 input received from various stakeholders.

18 First, Bangor Hydro's preferred route deviates  
19 from existing utility corridors for a distance of  
20 approximately 13 miles as the route heads in an  
21 easterly direction from the existing MEPCO line to the  
22 Stud Mill Road. The second deviation is near the  
23 Maritimes & Northeast Baileyville Compressor Station.  
24 Near the station the line deviates to the north to  
25 maintain an approximate 3,600-foot distance between

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1 the transmission line and the Baileyville Compressor  
2 Station. Say that three times fast.

3 During the break or after the session we will be  
4 happy to answer questions about the alternative routes  
5 and the difference between consolidated corridors and  
6 the preferred route. Thank you.

7 MS. OSBORNE: Thank you. We can now start to  
8 hear your comments. There's two people who said they  
9 wanted to speak, but any of you can speak, if you  
10 wish. We'll just start with them.

11 First, generally we say five minutes, but we can  
12 then have you come back if there's more to say. We  
13 are not constrained on time here. If you would, say  
14 who you are and if you're representing an organization

15 and you may spell your name for the court reporter.

16 This -- we don't intend to debate issues or  
17 cross-examine you on review. We may -- if there's  
18 something we wanted to correct about something that  
19 you said, we would do that. But essentially this is  
20 -- we're here to hear what you have to tell us about  
21 the study that we're going to undertake.

22 So I would call the first person, who's John  
23 Holden from Eastern Maine Development Corporation.

24 MR. HOLDEN: Thank you. I'll try to keep it to  
25 30 minutes. John Holden -- J-o-h-n -- H-o-l-d-e-n.

14

1 I'm with Eastern Maine Development Corporation. I'm  
2 the director of business development at EMDC. Very  
3 briefly I just wanted to speak to the social, but more  
4 importantly, the economic benefits of -- of the  
5 project in total. I don't have anything specific to  
6 say about a particular route, but in general the --  
7 the support for the project.

8 We believe that this project has significant  
9 benefits to the region we serve, eastern Maine -- six  
10 counties in eastern Maine. Indeed, it has benefits to  
11 all of Maine and all of New England.

12 The true economic benefits are, of course,  
13 defined in part by their cost. And I must say that  
14 the process by which Bangor Hydro has undertaken this  
15 project and looked at alternative routes is -- is  
16 truly noteworthy with respect to all stakeholders. I  
17 believe that the benefits outweigh any potential  
18 economic costs. I'm here to speak primarily in

19 support of the economic benefits this project has.

20 I believe they're far reaching and substantial  
21 and include the following: The increased stability  
22 and reliability of electrical supply in this region  
23 and all of New England. That in itself is a very  
24 important benefit. Another benefit includes the  
25 social benefit of this reliability. It lies in a more

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1 secure and stable electrical supply reducing threats  
2 to lost coverage in homes and in businesses in eastern  
3 Maine.

4 Another benefit is the increased potential  
5 product flow. In this case, the product is  
6 electricity across this region. This new  
7 infrastructure will increase the quantity and quality  
8 of electricity in the region. Such as building a road  
9 or a highway or a bridge increases commerce flow, so  
10 does this electrical infrastructure.

11 In turn, this infrastructure provides more  
12 opportunity for us involved in economic and business  
13 development to encourage, entice and develop new firm  
14 creation and new investment in eastern Maine.

15 Another benefit is the project will allow for an  
16 increased product, that is, electricity, to be  
17 delivered and sold to our neighboring Canadian  
18 provinces, thereby increasing economic impact for  
19 our region. The infrastructure and distribution of  
20 electricity from this region to other regions, be it  
21 east, west or south, is a good thing as it increases  
22 product and competition. And speaking in terms of

23 economics, that's always a good thing.

24 So again, I just wanted to briefly say that from  
25 our perspective this is a very valuable economic

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1 benefit to the region. Thank you.

2 MS. OSBORNE: Next is Representative Don Berry,  
3 Maine State House of Representatives.

4 MR. BERRY: Usually I do not stand on this side  
5 of it. My name is Donald Berry -- B-e-r-r-y. Thank  
6 you for being here within our state. We appreciate  
7 it.

8 As a state representative, a little bit just  
9 briefly about myself. I serve and have served my last  
10 term. I am a senior member of the Utilities and  
11 Energy Committee. I am very familiar with this entire  
12 project all the way back to when it began and all of  
13 the things that took place as far as why permits were  
14 stopped, withdrawn, held. Our committee has been very  
15 familiar with that, we've been informed about what is  
16 taking place.

17 One of the major issues of concern that we have  
18 always had has been what was just echoed prior to me,  
19 the reliability of the electric grid in eastern Maine.  
20 One tie line in the MEPCO line. If you remember a few  
21 years ago, we had a little ice storm here and up into  
22 Canada. One line.

23 I believe that what we're seeing here right now  
24 -- and I believe that my committee probably would feel  
25 the very same way; I know that Senator Youngblood from

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1       this area does -- is that the proposed route probably  
2       has about the least impact of any of the routes that  
3       we've seen before. I fully support this routing. I  
4       think it is the most efficient, it does the least as  
5       far as causing any situation that we see as a  
6       committee to the environment within that area.

7               One of the things that happened in this state  
8       when we did the Northeast Maritimes Pipeline was that  
9       part of that pipeline followed routes that created  
10      less impact right through my own district, in the town  
11      of Belmont and Searsmont. The pipeline sits right in  
12      a corridor that already existed. This makes sense.

13             I would say this. If the permit was issued for  
14      that pipeline, then I would have a problem  
15      understanding why a permit would not be issued for  
16      this line in the same corridor.

17             So lastly and just in quick conclusion here, I  
18      believe that this proposal, the proposed route that is  
19      here, is probably the most feasible. It allows us to  
20      be able to take the electricity that we generate in  
21      this state -- we generate -- for information that some  
22      of you do not know -- twice the amount of electricity  
23      that we need in the state of Maine, yet we have no  
24      market. Part of the problem of that market goes to  
25      ISO New England and goes to our friendly neighbor

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1       New Hampshire who constricts the flow of electricity  
2       south. But we do have a market.

3             It would also surprise many people that -- even  
                    Page 15

4 some people in this state's government don't  
5 understand that northern Maine is not connected to us,  
6 that there is a lacking of about 25 miles of line in  
7 the United States and in the state of Maine to connect  
8 northern Maine to the rest of the New England grid.

9 So there are many things that come into this.  
10 One of the most exciting things I can tell you,  
11 without even talking to the committee, would be the  
12 fact that ISO New England says the cost of this would  
13 be shared. We were really not excited with ISO  
14 New England when they told our committee and the  
15 people of Maine that they were paying for a high  
16 voltage line in Greenwich, Connecticut. This kind of  
17 evens the bill.

18 And so I look at that as another positive piece.  
19 Although it's not environmental, it does have an  
20 affect on the rate payers of the state of Maine that I  
21 have a great deal of care for.

22 So I would encourage that the approval be granted  
23 for this new proposed route. I think it is the best  
24 that we could have. Thank you. Thanks so much.

25 MS. OSBORNE: Is there anyone else who would like

19

1 to have some comments at this point on the scope of  
2 the document or on other issues that we should be  
3 aware of and think about? Okay.

4 Well, what we can do is we can take a break and  
5 close the record keeping at this point. You can have  
6 some refreshments, you can talk to people about the  
7 maps, about the project. If some issues come up in



8 conversations that you would like to have recorded as  
9 a record of this oral meeting, we can do that, we can  
10 open up the record again. If this stimulates some  
11 things you want to tell us, but you would rather write  
12 to us, that's fine, too.

13 But I think at this point I would close the  
14 meeting -- or just take a break. It may end up being  
15 the official closing. And thank you for coming. You  
16 can talk about the project if you wish. We can have a  
17 break, have a refreshment and talk informally. If  
18 there's something for the record, we will open it up  
19 again. Thank you.

20 (Whereupon a recess was held at 7:32 p.m. and the  
21 hearing was dismissed at 9:00 p.m. this date.)  
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## CERTIFICATE

4 I, Angella D. White, a Notary Public in and for the  
5 State of Maine, hereby certify that on November 18, 2004,  
6 said hearing was stenographically reported by me to the  
7 best of my ability and later reduced to typewritten form  
8 with the aid of Computer-Aided Transcription, and the  
9 foregoing is a full and true record of said hearing.

10 I further certify that I am a disinterested person  
11 in the event or outcome of the above-named hearing.

111804B

12                   IN WITNESS WHEREOF, I subscribe my hand and affix my  
13       seal this 19th day of November 2004.

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ANGELLA D. WHITE, NOTARY PUBLIC  
Court Reporter

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20       My commission expires  
21       May 17, 2010

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